

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.25 of 2020

In
Letters Patent Appeal No.205 of 2019

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1. The State of Bihar.
 2. The Commissioner-cum-Secretary, Art, Culture and Youth, Bihar, Patna.
 3. The Director General, Bihar State Sports Authority, Moinul Haque Stadium, Rajendra Nagar, Patna- 16.
 4. The Director cum Secretary, Bihar State Sports Authority, Moinul Haque Stadium, Rajendra Nagar, Patna- 800016.

... .. Petitioner/s

Versus

Nathu Ansari, Son of Late Bichu Ansari, Resident of Ram Nagar, Narayanpur, P.O.- Ram Nagar, District- West Champarna, at Bettiah at Presnet residing at Desh Ratna Marg, Karpoori Museum, Patna- 800001.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prabhat Kumar, AC to GA 11
		Mr. Raghwanand, GA 11
For the Opposite Party/s :		Mr. Nathu Ansari

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 14-03-2023

Heard learned counsels for the respective parties.

2. In the present review petition, there is inordinate delay of 2 years 3 months and 11 days in filing civil review petition. Nodoubt reasons assigned is that review petitioner invoked remedy before Hon'ble Apex Court against the order dated 13.09.2017 passed in L.P.A. No. 205 of 2016 and suffered an



order in S.L.P. No. 30713 of 2018 on 26.04.2019. The order of the Hon'ble Supreme Court reads as under:

“Heard learned counsel appearing on behalf of the petitioners.

Delay condoned.

We do not find any good ground warranting interference with the impugned order in exercise of our jurisdiction under Article 136 of the Constitution of India. The special leave petition is , accordingly, dismissed.

Pending application(s), if any, shall also stand disposed of.”

3. In the light of the aforementioned order of the Hon'ble Apex Court, it is not appropriate to entertain the civil review petition against the order dated 13.09.2017 passed in L.P.A. No. 205 of 2016, since the dismissal order of Hon'ble Apex Court cited *supra* is not dismissed *in limine*.

4. Learned counsel for the review petitioner vehemently contended that if the Hon'ble Apex Court has not passed order on merit, in that event, civil review petition is maintainable against order passed in L.P.A. Such a contention is not appreciable for the reasons that Hon'ble Apex Court proceeded to dismiss the S.L.P filed by the State of Bihar and Ors. - review petitioner with reference to giving findings that the Apex Court did not find any good ground warranting interference with the impugned order in exercising their jurisdiction under Article 136 of the Constitution



of India. In view of such order, review petitioner has not made out a case so as to overcome the order of the Hon’ble Apex Court dated 26.04.2019 passed in S.L.P. No. 30713 of 2018 and to revisit the order passed in L.P.A. No. 205 of 2016 dated 13.09.2017 in the civil review petition.

- 5. Accordingly, civil review petition stands dismissed.
- 6. Pending I.A.(s), if any, stand disposed off.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

GAURAV S./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.03.2023
Transmission Date	NA

